

City of Issaquah
Urban Village Development Commission
NOTICE OF DECISION

Applicants: DevCo, Inc
375 118th Ave SE, Suite 118
Bellevue, WA 98005
Contact: Tom Neubauer

Subject: Site Development Permit for Blocks 25-27 of Issaquah Highlands

Number: SDP13-00003

Decision Date: December 5, 2013

Request: Application for approval of a Site Development Permit in Blocks 25-27 for a residential development consisting of 209 units of mostly apartment flats, with some carriage units (9), as well as accessory office and recreational uses. The project encompasses approximately 5.05 acres and the development will comprise 6 buildings and associated garaged, on-grade, and tuck-under parking within carriage units.

Decision: The Urban Village Development Commission (UVDC) reviewed the proposed Site Development Permit application during a Public Meeting conducted on October 15, 2013 and a Public Hearing conducted on November 19, 2013. After reviewing the application, reviewing the staff report and supporting documents, and listening to presentations by the applicant and staff, the Commission approved the application with Conditions. Approval of this application is based on the attached Findings of Fact, Conclusions and is subject to the Conditions contained herein.

Geoff Walker, Chair
Urban Village Development Commission

Date

NOTES

1. If any of the Conditions or portion thereof is declared invalid or unenforceable, the application must be remanded to the Responsible Official for reconsideration and evaluation for consistency and appropriateness of the remaining Conditions.
2. Appeals may be filed within 14 days of the issuance of this Notice of Decision by the applicant, the City Responsible Official, property owners within three hundred feet of the proposed action, or other persons claiming to be directly harmed by the proposed action as permitted by Appendix L of the Grand Ridge (Issaquah Highlands) Annexation and Development Agreement, June 16, 1996. Appeals shall meet the Criteria identified in Section 8 of Appendix L and follow the process identified in that Section.
3. Any major change (as determined by the Responsible Official) to the approved site plan or accompanying drawings must be reviewed and approved by the Urban Village Development Commission. Less substantial changes may be approved administratively by the Responsible Official.
4. Building, utility, and sign permits will not be approved unless all applicable Conditions of this Notice of Decision are satisfied to the satisfaction of the Responsible Official.
5. This action does not indicate nor imply that any development activities may occur without the required permits being issued.
6. This SDP approval expires three years from the Decision Date or as otherwise provided by IMC 18.04.220.

This Notice of Decision has been executed this ____ day of December, 2013 by the Chairman of the UVDC on the behalf of and per the direction of the UVDC.

WHEREAS, pursuant to Appendix L (Processing) of the Grand Ridge Annexation and Development Agreement, the UVDC held a Public Meeting on October 15, 2013 and a Public Hearing on November 19, 2013 to consider a Site Development Permit for a multi-family project, in Blocks 25-27 at Issaquah Highlands. The proposal is for the development of six multi-family residential buildings including accessory uses for tenant office, recreation, and amenities on approximately 5.05 acres; and,

WHEREAS, all persons desiring to comment on the proposal were given a full and complete opportunity to be heard at a public hearing; and,

WHEREAS, the UVDC originally received the application on October 8, 2013 and has had adequate time to review and reflect upon the application; and,

WHEREAS, the UVDC is now satisfied that this application has been sufficiently considered, and hereby makes and enters the following:

I. FINDINGS OF FACT

1. DevCo Inc submitted a Site Development Permit application on June 28, 2013 for the development of a multi-family project on 5.05 acres. The property is located in Blocks 25-27 of Issaquah Highlands. The development will consist of 209 units in a mixture of stacked flats and carriage units. Accessory uses are provided in one building and contain a rental office, indoor recreation, and other amenities. The project also includes approximately 337 parking stalls in surface, under-building, and individual garages. Vehicular and pedestrian circulation, landscaping, outdoor recreation, and utility improvements were also proposed.
2. The site is located in the southeast portion of the area referred to as the West 45 plat of the Issaquah Highlands Urban Village, west of Highlands Drive, east of 8th Avenue NE and south of Discovery Drive NE.
3. The property is located in Development Area 4 of the Issaquah Highlands.
4. An Administrative Minor Modification (AM01-008IH) eliminated the Development Subareas in Development Area 4 (Appendix B).
5. The site is currently cleared and partially graded. No structures currently exist on site.
6. Access to the site is from Discovery Drive to the north and 8th Avenue NE to the east; otherwise, topography limits vehicular access. In addition, there is an access on the south side via a shared driveway with the Proliance Issaquah Highlands Surgery Center in Block 28. This shared access straddles the property line between Blocks 27 and 28. Pedestrian connections are provided along all streets. There are also public trails existing or proposed from the eastern and southern edges of the site. There are pedestrian routes through the site to the public trails, pedestrian bridge, and adjacent streets.
7. Under Section 18.03.300 of the Issaquah Municipal Code; and Section 7.2 of Appendix L (Processing of Land Use and Construction Permits) of the Issaquah Highlands Development

Agreement, the Commission conducts a planning-level review of Site Development Permit applications within the Issaquah Highlands for conformance with the policies, goals, and objectives contained in the City of Issaquah Comprehensive Plan and the planning goals and commitments of the Grand Ridge Annexation and Development Agreement.

8. As called for by Appendix L, Section 3 of the Development Agreement (Sufficient Application Decision), the application was determined by staff to be sufficient for review on July 9, 2013 based on the original submittal. Staff has determined the application contains adequate information and detail to review as a Site Development Permit.
9. Staff has thoroughly reviewed the application and presented their findings verbally and in a Staff Report. Staff has issued a Briefing Response Memo on November 13, 2013 in response to issues raised at the October 15, 2013 Public Meeting as well as Public Comments received by Swedish Hospital. The Briefing Response Memo revised and added Approval Conditions. The staff report is Attachment A and the Briefing Response memo is Attachment B to this Notice of Decision. This report thoroughly reviews the application in relation to the applicable approval requirements. The report contains a recommendation of approval, subject to 50 conditions; the Briefing Response Memo adds two additional conditions bringing the total to 52. In addition, the staff report and Briefing Response Memo contain numerous exhibits which relate to the review of the project. The UVDC finds this document, including its appendices, to be a thorough and complete review of the application and hereby incorporates it by reference as a finding in its entirety.
10. The UVDC has had the opportunity to thoroughly review the application. A public meeting was held on the evening of October 15, 2013 and a public hearing was held on November 19, 2013.
11. Beyond the information provided in the application, the Staff Report and its exhibits, information was provided by staff and the applicant to the UVDC during the course of the public process to enable it to have a complete and thorough understanding of the project. This includes: a slide presentation by staff of the site; a discussion between the staff and UVDC of each non-standard condition proposed in the Staff Report; and a presentation by the applicant explaining the project and its compliance with the Development Agreement.

One citizen provided comments via email:

An email was received from Jeannie Shindler on August 13, 2013 and is summarized as follows: There is too much multi-family residential development in the area. The property was intended for commercial development and adding another multi-family development is not suitable for this location. Grand Ridge Elementary school is over capacity and the City is not engaging with the Issaquah School District to alleviate overcrowding.

An opportunity for public testimony was provided at the public hearing held on the evening of November 19, 2013. Three people provided testimony:

John Truitt testified that he lives in the first phase of the Highlands and finds the apartments remarkable; however, parking is an issue for him. He described his experience arriving home at night from his job at Home Depot, which stays open until 11:00 PM, and having to drive around the complex to find a stall that is open. He said he sometimes ends up having to park some ways away from his home and has to cross Highlands Drive on foot. He also noted that parking is inadequate when he has guests, both in terms of availability and also because of the size of their vehicles. In conclusion, he said, parking is a problem for residents and he can foresee the impact that reduced parking for Discovery West Phase 3 will have on what is already a problematic situation.

Alex Gross, Vice President of Operations and Finance at Swedish Issaquah, thanked staff and DevCo for their willingness to work with Swedish on their concerns. Mr. Gross stated that he has concerns about parking and would have more confidence if the parking study had been conducted when the site was fully developed. He described the potential impacts to Swedish employees and visitors if DevCo ends up needing all of the parking on the east side of 8th Avenue. He noted that parking is always a big concern for hospitals because of the special safety and access issues for hospital patients and visitors, as well as emergencies. He said he is concerned about where visitors will park if the on-street parking is all taken. He said he would ask the Commissioners to think about whether they have full confidence in the parking study, and reiterated his duty to protect the interests of Swedish, its employees, and patients and visitors to the facility. He concluded that Condition 51 has not been entirely vetted with Swedish yet, and encouraged the Commission to consider adding wording to ensure that the condition includes acceptance by Swedish and potentially DevCo as well.

John Shaw, representing Port Blakely Communities, said he would like to add his perspective, namely that talking about too little parking seems like a paradigm shift from previous projects on which he has worked. Shaw stated that when Swedish elected not to buy this property (Blocks 25-27) Port Blakely was delighted that DevCo asked to buy it, as they have been model developers in our community and it seemed like a great fit with Swedish as well. He continued, stating there is already a significant number of residents at Discovery Heights who work at Swedish, and if just 15 percent of the future residents of Discovery Heights Phase 3 worked at Swedish, that alone could free up 30 parking stalls. He that there are only 38 or so stalls in question is out of a field of about 2,000. He urged the Commission to accept the applicant's proposal and to advance it to the Council.

12. Notice of the Public Meeting and Public Hearing was provided consistent with the requirements of Appendix L of the Development Agreement. This is further detailed in the Staff Report.
13. Pursuant to Section 10.0 of Appendix O (Parking Standards) of the Issaquah Highlands Development Agreement, reductions to the amount of total required parking are an allowed modification subject to the approval criteria therein. Per Section 10.2 (Process), The Responsible Official, through Administrative Review, has the authority to make decisions regarding Administrative Minor Modifications as established in Appendices L and M of the Issaquah Highlands Development Agreement.
14. Included in the Staff Report is a review of how the proposal conforms to the City of Issaquah Comprehensive Plan. The UVDC finds that the proposal conforms to the Comprehensive Plan, specifically with regard to its Land Use Element. This proposal will help advance the vision for the City as articulated in the Comprehensive Plan.
15. Section 3.2 of the Development Agreement, pursuant to the amended Agreement dated August 16, 2010 establishes an "Allowable Development" in Issaquah Highlands of 3250 residential units with an additional 500 set forth as "Enhancement Units". The Site Development Permit proposes a total of 209 dwelling units which will be residential Enhancement Units. The Permit falls within the range of Allowable Development contained within the Development Agreement; and, per Action Memo: AM06-03-2013(KN). The Action Memo states that for Enhancement Unit residential entitlement to be used, a project must achieve a density that is of an urban scale. The term "urban scale" is defined as 20 or

more residential units per acre (du/ac). The project meets this threshold and has a residential density of approximately 41 du/ac.

16. Appendix I of the Development Agreement establishes a “Project Envelope” that governs SEPA compliance for implementing approvals such as the SDP. The “Project Envelope” includes the Allowable Development established by Section 3.2 of the Development Agreement. Section 3.22.2.2 provides that the City and property owner “intend the [Grand Ridge] EIS to be SEPA compliance to the fullest extent possible for all Implementing Approvals.” Section 3.22.2.2 further provides that “a supplemental EIS, addendum or mitigation measures beyond those in this Agreement may be required by the City only to the extent an Implementing Approval or requested modification exceeds the Project Envelope.”
17. Staff determined on November 13, 2009 that the proposed Site Development Permit had undergone SEPA review through past environmental review processes and was within the Project Envelope defined by the Grand Ridge EIS and the DNR Addendum.
18. No critical areas are located within this proposal.
19. No proposed elements extend into the right-of-way.
20. The proposal is consistent with the Planning Goals, as identified in Appendix A of the Development Agreement and meets the intent of applicable commitments. These goals and commitments can be achieved through this project provided the conditions identified below are met.
21. Appendix B establishes the land uses and densities for the development of this site. Allowable density is a range in dwellings per acre and the proposal is within the range. The rental office, recreation, and amenities proposed in this SDP are accessory uses which do not count against Allowable Development.
22. The proposed building meets the building height, parking (as amended by a future Administrative Minor Modification), landscaping, and setback requirements listed in the Development Agreement.
23. The development standards for urban roads as set forth in Appendix H of the Development Agreement were used to evaluate the proposal. The proposal is consistent with the Appendix H standards and as conditioned herein.
24. Transportation mitigation for the entire Issaquah Highlands Urban Village was thoroughly addressed by the Development Agreement and the construction of the Sunset Interchange projects (North SPAR, South SPAR, Sunset Interchange). The traffic generated by this proposal falls within the scope of traffic anticipated by the Development Agreement.
25. Appendix D of the Development Agreement identifies the requirements for the stormwater conveyance, detention, and treatment system. Port Blakely Communities has constructed a comprehensive system that has sufficient capacity to meet these requirements.
26. The SDP provides for an interconnected system of sidewalks along all streets as well as pedestrian walkways and trails throughout the site and connecting to adjacent public trails, properties, and the pedestrian bridge.
27. The application was routed to various departments within the City as well as various support agencies such as Eastside Fire and Rescue. All comments were incorporated into the proposal or the below-listed conditions.
28. Traffic safety and operation impacts have been considered through review of the application and the incorporated conditions will adequately ensure these issues are addressed.

29. Any conclusion listed below which could be considered a finding is hereby incorporated as a finding.
30. The Commission evaluated all comments related to this application prior to rendering a decision.

II. CONCLUSIONS

Having rendered the above-cited Findings, the UVDC draws the following Conclusions:

1. This proposal was reviewed in accordance with Appendix L of the Grand Ridge Annexation and Development Agreement. The UVDC is responsible for reviewing and making the decision for Site Development Permit applications for parcels over three acres in size.
2. The Blocks 25, 26, and 27 at Issaquah Highlands is within the Project Envelope established by the Development Agreement.
3. The proposal complies with the Grand Ridge Annexation and Development Agreement, including subsequent amendments.
4. The application contains adequate information for the UVDC to render this decision.
5. The information provided during the public review process by the staff and the applicant has further assisted the UVDC to fully comprehend the proposal.
6. The public has been given ample opportunity for comment on the proposal.
7. The proposed action complies with the City of Issaquah Comprehensive Plan.
8. The conceptual storm water plan is consistent with the Development Agreement.
9. This proposal has been reviewed under SEPA as provided for in Section 3.22.2.2 and Appendix I of the Development Agreement using the Grand Ridge EIS.
10. Through application of conditions of approval, traffic and non-vehicular safety issues related to the proposal will be adequately mitigated.
11. Any finding above which could be considered a conclusion is hereby incorporated as a conclusion.

III. MOTION

I move that the Urban Village Development Commission approve the Blocks 25-27, Site Development Permit, File No. SDP13-00003, as described in the Staff Report dated October 8, 2013, its Attachments A-F, the Briefing Response Memo dated November 12, 2013, and subject to the terms, conditions, and rationale contained in the Staff Report and Briefing Response Memo (, and as amended this evening).

Condition #2: The word “retaining walls” shall be added to this condition and shall read as follows: “Prior to submittal of construction permits (Building or Utility) other than grading, the applicant shall execute a sales agreement with the City to purchase the area containing any site elements (trails, dog run, P-patch, retaining walls, etc.) which are located outside of the project boundary. If the City and Applicant are unable to negotiate the sale of the property, an easement for the area’s use may be considered

Condition #51: Change all references to “Discovery Heights” to “Discovery Heights Phase 3”.

Condition #52: Remove this condition.

Also, I move that the Urban Village Development Commission direct the Development Services Department to prepare Findings of Fact and Conclusions for review and approval by the Urban Village Development Commission Chairperson, affirming the Urban Village Development Commission’s decision to approve the Site Development Permit application for Issaquah Highlands, Blocks 25-27, File No. SDP13-00003 subject to the conditions listed in the staff report, Briefing Response Memo, (and as amended this evening).

IV. CONDITIONS

Based on the findings and conclusions outlined above, the Urban Village Development Commission approves the Site Development Permit application for Blocks 25-27 of Issaquah Highlands, File No. SDP13-00003, as described in the Staff Report dated October 8, 2013, its Attachments A-F, the Briefing Response Memo dated November 12, 2013, and subject to the following Conditions:

1. To ensure that property lines do not bisect buildings, a Lot Consolidation or Lot Line Adjustment must be completed prior to the issuance of any permits that allow construction of structures.
2. Prior to submittal of construction permits (Building or Utility) other than grading, the applicant shall execute a sales agreement with the City to purchase the area containing any site elements (trails, dog run, P-patch, retaining walls, etc.) which are located outside of the project boundary. If the City and Applicant are unable to negotiate the sale of the property, an easement for the area’s use may be considered.
3. The central waste pickup facility must be located entirely on Block 27 unless permission is granted from Block 28’s ownership. This will be verified with the Utility Permit.
4. Prior to the first Temporary Certificate of Occupancy, the relocatable trail easement (Recording No. 2006050000128) shall be moved in accordance with the final placement of the east/west Neighborhood Trail.
5. In the event the project is phased, the Responsible Official has the right to apply additional conditions with Building or Utility Permits to ensure each phase complies with the Development Agreement, such as but not limited to access, fire circulation, parking, and landscaping requirements including site stabilization. Interim landscape shall discourage invasive plants from sprouting and establishing. Routine maintenance of these areas will look for and remove invasive plants.
6. Unless expressly identified, approval of this SDP application does not modify any City or Issaquah Highlands Development Agreement standards which are in conflict with elements of the SDP plan or application. Modification of the standards or guidelines requires an explicit approval in the Notice of Decision for this application or a separate Modification as allowed under Appendix M of the Development Agreement.
7. Any inconsistencies, conflicts, or incomplete information, other than those addressed directly by this Decision shall be resolved by the Responsible Official, utilizing the Staff

- Report, and in consultation with the applicant, at the time of the future application (e.g. Building, Utility, and Sign Permits).
8. All dry and wet utility vaults, cabinets, switchgear, pull boxes, meters, equipment, and appurtenances are assumed to be shown on the SDP submittal. Anything not shown on the SDP submittal (location, relative height, presence above ground) is assumed to be located within the structure. Any revisions or additions to what the SDP has shown and approved outside of the structure requires a modification to the SDP, except fire hydrants.
 9. Per the 7th Amendment to the Issaquah Highlands Development Agreement, residential projects utilizing Enhancement Units shall be required to pay development impact fees. These impact fees shall be paid prior to issuance of building permit.
 10. Designated pedestrian trails (as shown on Page 9 of the Staff Report) which cross vehicular routes, drives, drive aisles, access routes, etc... shall be designed to draw the driver's attention to the possible presence of pedestrians. This condition would be met, for example, through the use of pedestrian tables or changes in material (e.g. concrete, pavers; not solely paint or striping), etc... Raised crosswalks shall not be used.
 11. Prior to (Temporary) Certificate of Occupancy for any building, pedestrian and vehicular routes serving that building or its portion of the site shall have access easements granted to the City allowing the public to use these routes.
 12. The area between Buildings A and F will be designed as an autocourt which provides a welcoming, pleasant, unified design accommodating the various pedestrian routes, parking, and entry to the project. Non-asphalt paving will be used and which through color, texture, and design communicates the various uses and users. Parking lot landscape standards must be met within the autocourt, consistent with Appendix P. The autocourt will be designed in a single plane avoiding the use of curbs to emphasize the holistic nature of the space.
 13. Weather protection shall be provided at each primary building entry.
 14. Two-way vehicular routes, where cars will not be backing out, will not exceed 20 ft wide.
 15. Parking stalls which have low landscape or additional hardscape at the head of the stall, may reduce the paved portion of the stall length by 2 ft as long as the car can hang into the landscape or hardscape by 2 ft without impacting pedestrian walkways or the proposed landscape. Landscape in appropriate locations may be counted to the 10% landscape requirement.
 16. During review of the Utility Permit, the applicant shall work with the City and EF&R to determine if it is possible to reduce the width of entrance to Parking Lot D. If the actual width of the parking lot entrance cannot be reduced, the applicant shall utilize techniques to reduce the perceived width for private vehicles in order to slow traffic at this location.
 17. All impervious surfaces and stormwater facilities must discharge to the Upper Reid detention pond.
 18. Prior to the approval of any utility plans that allow infiltration in bioretention facilities associated with impervious areas, a critical area study must be completed which shows that infiltration on this site will not adversely affect the adjacent slopes and retaining walls.
 19. At the time of submittal for a Utility Permit for landscaping, the applicant shall submit a landscape maintenance plan consistent with the requirements of Appendix D and Issaquah Highlands best management practices. All landscape maintenance shall comply with these maintenance requirements.

20. Prior to the approval of the first building permit, a special report must be submitted which either shows that no additional loads are imposed on the walls or that the additional loading has been mitigated.
21. All water mains must be at least 12" minimum size.
22. All hydrant runs must be perpendicular to the service main and must not contain bends.
23. The pedestrian ramp on the northern driveway must be aligned with the adjacent walkway and a receiving curb bulb and ramp must be constructed on the west side of 8th Avenue NE. The relationship of the two elements will be evaluated during the review of the Utility Permit.
24. The southern driveway must be signed for "right-out" only vehicular turning movements. Additionally, the configuration of the curb-bulb will be reviewed with the Utility Permit to ensure that traffic and emergency turning movements function safely.
25. All exterior staircases and walkways shall be at least 5 feet wide, clear of intruding handrails, mature landscape, car overhangs, light poles, tables and chairs, etc...; walkways may be 3 ft wide when they serve individual front doors and patios or walkways to no more than two entries. Where narrow planter beds are adjacent to walkways, plants shall be selected whose mature size will not impact the walkway width.
26. All curbs at Issaquah Highlands must be vertical, unless otherwise approved by the Responsible Official, such as for fire access or some other unique circumstance. No extruded curbs are allowed.
27. All curb ramps must direct the user into the crosswalk (not the intersection or travel lanes) and generally point toward the curb ramp on the opposing side.
28. Where stairs must be used in the sidewalks or the path system, the applicant shall avoid single steps and all steps should be level and of even height per the International Building Code.
29. Any tree located within 4 ft. of a public street, curb, sidewalk, or similar publicly-owned and maintained paving must have at least 10 lineal feet of root barrier placed adjacent to pavement.
30. Adopted standard stall dimensions shall be the maximum; adopted compact stall dimensions shall be the minimum. Stalls smaller than standard stall dimensions, in one or both directions, shall be considered compact stalls. Compact stalls are not allowed on a fire lane unless they are standard stall length.
31. Consider providing parking spaces for motorcycles, super sub-compacts, electrical vehicles, etc.... If provided, these spaces shall be specifically designated.
32. In the parking lots where all standard or a combination of standard and compact stalls are located, drive aisles will be 24 ft wide; where only compact stalls are located on a drive aisle, it may be reduced to 22 ft, though for design simplicity the drive aisle may be 24 ft wide. Parking lot drive aisles will be limited to 18-20 ft wide where there are no adjacent parking stalls.
33. The number, type, and location of ADA compliant parking spaces is not approved by this permit and shall be reviewed by the Building department during the Building Permit review. The applicant should meet with the Building Official prior to the submittal of any construction permits to confirm the number and distribution of ADA parking stalls.

34. The proposed land uses currently generate the need for 28 bike parking spaces; the number of required bike parking spaces may be modified based on the final parking count. The bike racks shall be distributed throughout the site and some should be in covered locations. The bike racks should be positioned to not block sidewalk, walkways, entrances, etc... as well as to function when full of bicycles; the racks should likewise be accessible when adjacent activities, such as parking are occurring. Final bike rack locations must be shown on Building or Utility (e.g. landscape) Permit.
35. One additional loading stall shall is required and potentially may be located along 8th Avenue NE.
36. Loading spaces must be restricted to Loading Only between 7 am and 6 pm, seven days a week. Signs must be provided. Loading spaces may not count to meet required parking.
37. Where pedestrians are in proximity to the exterior edges of the under-building parking in Building A, the Applicant shall provide materials that are pedestrian friendly. This performance standard will be met through using materials that are visually and texturally interesting at a pedestrian scale. Long unbroken use of a single material will not meet this standard, unless supplemented with architectural relief, artwork, or additional plant materials etc.... The decorative architectural screens and/or green screen trellises shall provide 50% coverage of each non-vehicular opening into the parking deck.
38. All buildings shall be located with no to minimal setback from the public sidewalks or regulated trails that serve as their primary entry. Where a minimal setback is provided, a low element, such as a hedge or a wall, shall be provided to maintain the streetwall per the Traditional Townscape guidelines.
39. All building facades shall be designed with detail and interest. Blank walls shall be avoided, especially at the pedestrian's level; if necessary, articulation or other features will be provided. Appropriate articulation and features could include doors, windows, building articulation, and/or other architectural features to create an interesting and varied environment.
40. The retaining walls (currently just the ones on the east side of the site) must be designed in such a way to be visually interesting and a positive contribution to the pedestrian environment and off-site views to them such as the wall material, adding landscape at the bottom of and/or climbing the wall, decorative hand rails and fall protection. In addition, the character of the wall must be consistent with the Traditional Townscape Neighborhood type which would preclude the use of rockeries.
41. Provide architectural treatment for the parking lots' vehicular entrance to minimize its presence to the pedestrian while not obscuring its presence to drivers. These improvements shall be completed prior to Certificate of Occupancy for the adjacent block.
42. This permit has approved, in preliminary form, the proposed landscape. Additional and detailed review will occur concurrently and jointly by the DSD and ARC. Plants should be selected and spaced based on their mature size as well as for their consistency with the Neighborhood Type in which they are located, i.e. formal and precise for Traditional Townscape. All areas disturbed or adjacent to the construction areas must be landscaped, e.g. below the eastern retaining walls.
43. A lighting plan shall be proposed which maintains lighting at the minimum necessary for safety and function, and balances the goal of minimizing night glow and off-site lamp visibility with pedestrian scale lighting and the urban design potential of lighting and light

fixtures. Cut off fixtures will be used and lighting shall be located in areas where drivers and pedestrians are likely to be. The lighting plan shall comprehensively address building, street, drives, open space, parking lot, trails, and landscape lighting so that lighting impacts are not compounded in portions of the site by overlapping illumination patterns. To facilitate review of the lighting, a photometric calculation, stamped by a professional engineer, showing illumination levels on the pavement shall be submitted with the permit for construction of lighting. A point-by-point calculation is required. The illumination calculation shall include all fixtures that contribute light to the site (poles, bollards, building mounted lighting). Low wattage decorative fixtures such as sconces or porch lights can be excluded from the calculation. No up-lighting is allowed. All exterior lighting is subject to the specific approval of the Responsible Official.

44. The structured parking deck shall be designed to:
 - ensure no light direct spill from fixtures or vehicles
 - minimize reflective light and exterior glare spilling from the parking deck
 - eliminate or significantly reduce visibility of pin point light sources. This may include limiting openings, screening openings with architectural and/or landscape elements, fixture selection (e.g. cut off, lenses), fixture location, turning off fixtures late at night/early in the morning, etc....
45. Design and placement of the above ground facilities, such as buildings, walkways, significant plant materials, etc... shall take priority over the convenient location of utilities, unless this would significantly compromise the function of the utilities. On all subsequent permits, utilities and their necessary easements shall be shown.
46. All mechanical equipment, utilities, appurtenances, etc... shall be screened. Equipment, above-ground utilities, appurtenances, etc... shall be located away from pedestrian areas, with at least enough distance to allow landscape screening. Equipment located on rooftops including HVAC and mechanical equipment shall be fully screened from view both above and below.
47. All trails shall be designed as Neighborhood Trails. Where site restraints limit the ability to provide a full landscape border, e.g., the south trail, additional landscaping or architectural treatment must be provided in order to clearly define trail boundaries. This includes adding at least three trees shall adjacent to the driveways and adding an additional landscape area and/or architectural treatments to the north of the primary waste collection area.
48. In order to assist bicyclists, a bike rail shall be provided with the stair case located within Tract QE.
49. Per EF&R comments:
 - Accessible means of egress must be provided in accordance with section 1007 of the International Building Code. In buildings with four or more stories, at least one accessible means of egress shall be an elevator complying with section 1007.4.
 - An accessible route of travel must be provided to all portions of the building, to accessible building entrances, and connecting the building to the public way per WA State Code 1103.2.2.
 - A foundation soils report by a licensed WA state geotechnical engineer will be required at the time of building permit submittal. A peer review of the submitted soils report by a second engineer may be required on some sites.
 - Rated Fire Barrier Walls and or Horizontal Assemblies are required per chapter 7 2012 IBC.

-Due to inadequate fire department access for the ladder truck in the parking lots a pass thru may be required in Building A from the front side of the building (Discovery Drive side) to the parking lot side. A standpipe connection will also be required from the front side to the back side to allow us to have a fire department connection on the back side of the building.

-Storz Fitting(s) for all new and existing fire hydrants within 300' of structure in commercial area and within 500 feet of structure in rural areas.

-Provide fire flow calculations to EF&R for review and approval. This will be based on square footage and type of construction.

-Submit hydrants locations to be reviewed and approved by EF&R.

50. With permits for construction, the following modifications to the waste enclosures and collections system will be made:
1. The primary collection point will also provide resident collection similar to that provided at the dispersed collection enclosures though the specifics may be unique to the primary location.
 2. Garbage and recycling containers in the dispersed locations will be purchased from or identified by the compactor manufacturer to ensure compatibility with the selected compactors and to enable towing.
 3. The cart for collecting the waste is on-site by the first (temporary) Certificate of Occupancy
 4. Food waste will be collected in containers no larger than 4 cu.yd. Food waste collection may be from the dispersed or at a primary location.
 5. Design of the enclosures for roll out containers will have slopes no greater than 3% both inside and in front of the enclosures where the containers will be dumped.
 6. Dispersed enclosures will be sized consistent with the City's solid Waste Collection Space Standards and Guidelines or as approved by the Responsible Official. Compactor enclosure dimensions will be reviewed once the compactor is selected.
 7. Waste enclosures will have roofs and drains. The compactor enclosure probably cannot be roofed. To allow drainage of the compactor enclosure, the compactor and its enclosure will be designed with separate discharges to storm and sewer systems, i.e. enclosure to storm and compactor to sewer.
 8. The pad under the compactors will be 8-10 in. reinforced concrete.
 9. Cleanscapes gates will be accessed by keypads. Enclosures will be designed to prevent bears from accessing them. Additional enclosure requirements will be reviewed with construction permits.
 10. The enclosure walls for the primary collection point will be at least 6 ft tall adjacent to trails.
 11. If waste chutes are used they must be designed with:
 - three separate chutes, one each for recycling, garbage, food waste; or
 - two chutes (recycling and garbage) with food waste collection on each floor and in the same room as the waste chute access; or
 - one chute which switches between recycling and garbage with food waste collection on each floor and in the same room as the waste chute access.
51. Within 30 days following full occupancy of Discovery Heights Phase 3, the Applicant will commence quarterly monitoring. (Full occupancy is defined as 95% occupancy of all units.) The purpose of monitoring is to determine if people associated with Discovery Heights Phase 3 are parking n adjacent private property rather than in the parking approved for

Discovery Heights Phase 3, and by observing if people who have parked on Proliance or in Swedish's eastern lot are then coming to Discovery Heights Phase 3. This monitoring will occur approximately five times each quarter (various days of the week), from generally 6pm to 1am. This quarterly monitoring will be required for 18 months from full occupancy. If parking on private property is occurring, the Applicant commits to taking action to deter these activities, including written warnings to residents, collection of license plate numbers, and notification to the other property owners. To ensure compliance with this condition, a financial surety acceptable to the Responsible Official shall be provided prior to issuance of a building permit.

52. In recognition that 8th Avenue is used as an emergency vehicle route for the adjacent hospital, 8th Avenue shall remain clear and unencumbered for the duration of all construction activities. The public roadway may not be blocked for maintenance, deliveries, or staging for any amount of time unless a traffic control plan describing the blockage or encumbrance has been approved by the City. The approved plan shall include emergency access routes, signage and public notification. Additionally, to ensure that construction activities do not adversely affect adjacent properties, a construction access, staging and parking plan shall be submitted to the City prior to commencement of construction activities.

Attachments:

Attachment A: Staff Report, dated October 8, 2013

Attachment B: Briefing Response Memo, November 12, 2013

cc. Parties of Record
Lucy Sloman
Dan Ervin
Doug Schlepp